IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISC. APPLICATION (MAIN) NO. 333 OF 2006

SHRI AVELINE J. PINTO, MAPUSA GOA. ....Appellant

Versus

STATE (CID PANAJI) THROUGH PUBLIC PROSECUTOR AND ANR., ...Respondents

Mr. George John, U/LAS Advocate for the Appellant.
Ms. Winnie Coutinho, Public Prosecutor for the Respondent/State.

Coram:- N. A. BRITTO, J.

Date:- 24th November, 2006

ORAL ORDER

Heard Shri George John, the learned Counsel on behalf of the applicant and learned Public Prosecutor Ms. Coutinho on behalf of the respondent.

2. The applicant, is an accused in C.C. no. 2/04 filed under Sections 376, 354 I.P.C. and Section 8(2) of the Goa Children's Act, 2003. The contention of the applicant is that the said offences took place prior to the said Goa Children's Act, 2003, came in force and, therefore, it is in the interest of justice that the said case should be transferred to the Court of Sessions, Panaji. In case the petitioner feels that the Children's Court as constituted under the Goa Children's Act, 2003, has no jurisdiction to try the accused, then it is desirable that the accused raises such a plea of jurisdiction before the said Children's Court and obtain a finding on the same. An application for transfer is not the appropriate remedy.

3. With the above observations, the application is dismissed.

N. A. BRITTO, J.

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